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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,001

02/09/2004

Juergen Schreiner

FA/258A

9086

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EXAMINER

DUNWOODY, AARON M

ART UNIT

PAPER NUMBER

3679

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/20/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/776,001	<b>Applicant(s)</b> SCHREINER ET AL.	
	<b>Examiner</b> Aaron M. Dunwoody	<b>Art Unit</b> 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-15 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 and 12-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/2/2007 has been entered.

### ***Election/Restrictions***

Claims 7-10 and 12-15 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species in the reply filed on 9/8/2005.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-5 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 appears to define the claimed invention of a connector assembly in terms of the non-claimed invention of an inflatable article and an inflation source.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent 2180960, Kennedy in view of US patent 5649860, Giuffrida and US patent 6467820, Albrecht et al.

In regards to claims 1 and 11, Kennedy discloses a connector assembly for connecting an, the assembly comprising:

a semi-rigid, hollow connector housing (10) having a first, generally tubular, insertable section, insertable into the inflatable article through an opening in a flexible wall of the inflatable article, and a second external section extending oppositely from the insertable section and outwardly from the flexible wall upon insertion, the external section and the insertable section being connected, the two sections providing a continuous air passageway therethrough into the inflatable article upon insertion therein, the passageway extending from an external opening in the external section and being removably connectable thereat to the source of inflation fluid, through the connector assembly, and into the inflatable article, wherein the insertable section has an external circumferential groove therearound which, upon insertion into and through the wall opening, is secured thereat by an elastic washer positioned immediately adjacent to and concentric with the wall opening, the washer being press-fit into the groove, the washer

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providing a seal at the wall opening, thereby sealing off leakage of fluid to or from the inflatable article and confining fluid passage to and through the passageway, thereby providing, when assembled, a low-profile pathway for fluid communication from the external source into the inflatable article through a wall opening thereof.

Kennedy does not disclose a pressure relief valve, or the external section and the insertable section being connected and oriented at an angle of less than 180 degrees with respect to each other.

Giuggrida teaches a pressure relief valve (40) to vary the passage section of the fluid through the connector assembly as the difference in pressure between the inside of the hollow body and the outside varies (col.2, lines 12-15). As Giuggrida relates to a duct with outlets for delivering a conveyed fluid, it would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate the connector assembly with a pressure relief valve to vary the passage section of the fluid through the connector assembly as the difference in pressure between the inside of the hollow body and the outside varies, as taught by Giuggrida.

Albrecht et al teach the external section (236) and the insertable section (238) being connected and oriented at an angle of less than 180 degrees with respect to each other "to change the fluid flow direction without requiring additional fittings" (col. 15, lines 45-46). As Albrecht et al relate to fluid flow systems, it would have been obvious to one having ordinary skill in the art at the time the invention was made to connect the external section and the insertable section at an angle of less than 180 degrees with

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respect to each other to change the fluid flow direction without requiring additional fittings, as taught by Albrecht et al.

**Note, the inflatable article and inflation source are not part of the claimed invention.**

In regards to claim 2, Kennedy discloses a seal effective to a pressure gradient of at least 70 mbar.

In regards to claim 3, Kennedy discloses a seal effective to a pressure gradient of at least 200 mbar.

In regards to claim 4, Kennedy discloses the housing and insertable section being integrally formed into a unitary construction.

In regards to claim 5, as best understood, Kennedy discloses the insertable has an internal end within an inflatable article and the washer is press-fit over the internal end onto the insertable section.

**Note, the inflatable article and inflation source are not part of the claimed invention.**

In regards to claim 6, as best understood, Kennedy discloses the washer is positioned adjacent to an internal wall of the inflatable article.

**Note, the inflatable article and inflation source are not part of the claimed invention.**

***Response to Arguments***

Applicant's arguments filed 1/2/2007 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, as Giuggrida relates to a duct with outlets for delivering a conveyed fluid, it would have been obvious to one having ordinary skill in the art at the time the invention was made to fabricate the connector assembly with a pressure relief valve to vary the passage section of the fluid through the connector assembly as the difference in pressure between the inside of the hollow body and the outside varies; and as Albrecht et al relate to fluid flow systems, it would have been obvious to one having ordinary skill in the art at the time the invention was made to connect the external section and the insertable section at an angle of less


than 180 degrees with respect to each other to change the fluid flow direction without requiring additional fittings.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Aaron M Dunwoody  
Primary Examiner  
Art Unit 3679

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